

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DELANO PERRY,

Defendant.

No. 13-cr-30153-DRH

ORDER

HERNDON, Chief Judge:

This matter was referred to United States Magistrate Judge Stephen C. Williams for the specific purpose of conducting a change of plea for defendant Perry, pursuant to 28 U.S.C. § 636, LOCAL RULE 72.1(b)(2) and defendant Perry (Doc. 15). Pursuant to FEDERAL RULE OF CRIMINAL PROCEDURE 11, the change of plea hearing was held on August 1, 2013 (Doc. 14). During the change of plea, defendant Perry pled guilty to the indictment, distribution of heroin, following a thorough colloquy with Judge Williams. Thereafter, Judge Williams issued a Report and Recommendation ("the Report") recommending that the Court accept Perry's plea of guilty (Doc. 18).

In accordance with 28 U.S.C. § 636(b)(1)(B), the parties were allowed fourteen days to file written objections. As of this date, neither party has filed an objection. Therefore, the Court **ADOPTS** the Report in its entirety. Thus, based on the record in the case, the recommendation of the Magistrate Judge, the consent of the defendant to plead before the magistrate without subsequent

objection, it is the finding of the Court in the case of *United States v. Perry*, that defendant Perry was fully competent and capable of entering an informed plea, that defendant Perry was aware of the nature of the charge and the consequences of the plea, and that the plea of guilty was a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offenses. Accordingly, the Court **ACCEPTS** the guilty plea and **ADJUDGES** Perry **GUILTY** on the charge in the indictment. The Court **REMINDS** the parties that this matter is set for sentencing on December 6, 2013 at 10:00 a.m.

IT IS SO ORDERED.

Signed this 21st day of August, 2013.

 Digitally signed by
David R. Herndon
Date: 2013.08.21
10:49:37 -05'00'



Chief Judge
United States District Court